



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### SUMMARY

**May 27, 2010 – #1796**



*Thomas J. Stosur*  
Director

#### **4. CITY COUNCIL BILL #10-0477/CHARLES VILLAGE COMMUNITY BENEFITS DISTRICT AND MANAGEMENT AUTHORITY**

The Charles Village Community Benefits District (CVCBD) is a one-hundred block area generally bounded on the west by the Johns Hopkins University Homewood campus and Howard Street, on the north by 33<sup>rd</sup> Street, on the east by Greenmount Avenue and the south by 20<sup>th</sup> Street. It was authorized by ordinance and established by 67% of voters participating in a community-wide voter referendum in 1994. The goal of the CVCBD is to make participating neighborhoods safer, cleaner, stronger and better places to live, work and shop. It is funded primarily by a tax surcharge on the property owners in the district. That surcharge will remain at twelve cents per \$100 of assessed value.

The CVCBD has been subject to renewal authorization every four years since its inception. This bill will renew and continue the CVCBD and its Management Authority for four additional years, until June 30, 2014.

Charles Village Civic Association, Barclay Leadership Council, Charles North Community Association, Waverly Improvement Association, Better Waverly Community Organization, Remington Neighborhood Alliance, North Charles Village Business Association, Old Goucher Community Association, Greenway Community Association, Tuscany-Canterbury Neighborhood Association, The Guilford Association, Greater Homewood Community Corporation, Oakenshawe Improvement Association, Abell Improvement Association, Harwood Community Association, Peabody Heights RHA and Old Goucher Business Alliance have been notified of this meeting.

**Recommendation:** Approval

#### **5. CITY COUNCIL BILL #10-0484/DOWNTOWN MANAGEMENT DISTRICT/ADJUSTMENT TO SUPPLEMENTAL TAX**

The Downtown Management District is one of four special benefits districts in Baltimore City and has been in existence since 1992. The Downtown Management District, which encompasses an approximately 106-block area, is managed by the Downtown Partnership of Baltimore (DPoB) and provides key supplemental services to members. Commercial property owners in the District fund these services through an annual surcharge of 14.39 cents per \$100 of assessed property value. While this is not the only source of funding the DPoB receives, it is by far the largest. With recent declines in property values, DPoB projects an annual revenue decrease of nearly \$400,000 because of property tax reductions – affecting capital projects as well as their ability to maintain basic operating funds.

Based on this, the DPoB (with approval from its Board of Directors) is seeking a number of key amendments to their enabling legislation, which exists in City Code Article 14, Subtitle 1. Generally, the proposed bill gives the district more flexibility in setting the amount of its surcharge rate, similar to the powers already available to other districts in the City. It also seeks to amend borrowing restrictions governing the district, allowing it to borrow funds for capital projects.

In advance of a hearing on this matter, staff notified the following community groups: The Central Business District Coalition, Charles Street Development Corporation, Market Center Merchants Association, and Westside Renaissance. In addition, the Downtown Partnership of Baltimore previously notified all property owners in the district of the proposed changes via mail on March 31, 2010.

**Recommendation:** Amend and approve.

**6. FINAL SUBDIVISION AND DEVELOPMENT PLAN/5500 YORK ROAD AND 401 MARKLAND AVENUE – ST. MARY’S OF THE ASSUMPTION CATHOLIC CHURCH**

The applicant is proposing to consolidate and re-subdivide the properties known as 5500 York Road and 401 Markland Avenue into two lots for dispositional purposes – Lots #1 (1.421 acres) and #1A (.8761 acres). The structures on Lots #1 and #1A will remain. Lot #1 is improved with the church and rectory while Lot 1A is improved with the church school.

The Mid-Govans Community Association, Greater Homeland Community Corporation, Inc. and Govantown Business Association were notified about the Final Subdivision and Development Plans for 5500 York Road and 401 Markland Avenue - St. Mary of the Assumption Church.

**Recommendation:** Approval, subject to:

- Comments from the Department of General Services; and
- Approval from the Board of Municipal and Zoning Appeals for parking as required by the Board.

**7. CITY COUNCIL BILL #10-0495/METROPOLITAN DISTRICT OF BALTIMORE COUNTY – EXTENSION 153**

This request is by Powers Homes and Cherry Hill, LLC to provide water service to 11.2 acres of land on the west side of Cherry Hill Court east of Franklin Boulevard and south of Northwest Expressway (I-795). The Planning Department staff reviews each request to insure that it is in compliance with the Baltimore County Land Use Master Plan, and zoning. This site is within Baltimore County’s growth area and will not negatively impact the watersheds adjacent to the City’s reservoirs.

Staff has notified the Directors of Department of Public Works for Baltimore City and County, the Director of Planning Baltimore County and the property owners concerning City Council Bill #10-0495 Metropolitan District of Baltimore County – Extension 153.

**Recommendation:** Approval

**8. CITY COUNCIL BILL #10-0496/METROPOLITAN DISTRICT OF BALTIMORE COUNTY – EXTENSION 157**

This request is by Michael Greenspun to provide water service to 3.3 acres of land located in the vicinity of 7 Church Road, on the west side of Church Road. The Planning Department staff reviews each request to insure that it is in compliance with the Baltimore County Land Use Master Plan, and zoning. This site is within Baltimore County's growth area and will not negatively impact the watersheds adjacent to the City's reservoirs.

Staff has notified the Directors of Department of Public Works for Baltimore City and County, the Director of Planning Baltimore County and the property owners concerning City Council Bill #10-0496 Metropolitan District of Baltimore County – Extension 157.

**Recommendation:** Approval

**9. CITY COUNCIL BILL #10-0497/METROPOLITAN DISTRICT OF BALTIMORE COUNTY – EXTENSION 161**

This request is by Randall-Wood Corporation to provide water and sewer service to 2.84 acres of land located at 5624 Old Court Road. The Planning Department staff reviews each request to insure that it is in compliance with the Baltimore County Land Use Master Plan, and zoning. This site is within Baltimore County's growth area and will not negatively impact the watersheds adjacent to the City's reservoirs.

Staff has notified the Directors of Department of Public Works for Baltimore City and County, the Director of Planning Baltimore County and the property owners of this action.

**Recommendation:** Approval

**10. CITY COUNCIL BILL #10-0498/METROPOLITAN DISTRICT OF BALTIMORE COUNTY – EXTENSION 162**

This request is by Howard Hospitality Inc. Properties to provide water and sewer service to 3.662 acres of land located at 4508 and 4514 Painter Mill Road. The Planning Department staff reviews each request to insure that it is in compliance with the Baltimore County Land Use Master Plan, and zoning. This site is within Baltimore County's growth area and will not negatively impact the watersheds adjacent to the City's reservoirs.

Staff has notified the Directors of Department of Public Works for Baltimore City and County, the Director of Planning Baltimore County and the property owners of this action.

**Recommendation:** Approval

**11. FINAL DESIGN APPROVAL/FLAG HOUSE COURTS PLANNED UNIT DEVELOPMENT – ATTMAN’S DELICATESSAN – 1101-09 E. LOMBARD STREET**

This property has been informally used for parking for some time, and is now proposed to be authorized for used as a formal parking lot that will continue to serve Attman’s Deli 1019-21 East Lombard Street. This project is within the Flag House Court PUD area and as such requires Final Design Approval from the Planning Commission.

The deli is expanding, and a building addition will displace the existing adjacent parking lot at 1015-17 East Lombard Street. As part of the development project, a ±950 sqft portion of the rears of 1015-17 East Lombard Street may be conveyed to the City in order to create a public alley. This parking lot design was approved by the Site Plan Review Committee on May 10, 2010.

Staff has notified the Albemarle Square, the Historic Jonestown Business Association, the Jonestown Planning Council, Inc., the Little Italy Community Organization-(LICO), the Little Italy Business Association (LIBA), and the Little Italy Restaurant Association-(LIRA) of this action.

**Recommendation:** Approval

**12. CITY COUNCIL BILL #10-0500/ZONING LEGISLATION – AMENDMENTS**

This bill modifies §16-403 of the Zoning Code, to clarify provisions of the Amendments section. Generally speaking, if there are amendments made to a bill are made after a public hearing, another public hearing must be held, and the notice requirements, and reading of reports are required. Today, §16-403 provides for an exception to this re-hearing rule in the case that the amendment is either made in committee, or in the case that the amendment consists only of a change in punctuation, grammar, or spelling that does not in any way alter the substance of the ordinance. This bill further clarifies this exception to add the phrase “or that otherwise” to indicate that an amendment that is not punctuation, grammar, or spelling, but that likewise does not in any way alter the substance of the ordinance, does not require a re-hearing.

This amendment should help in administering the Zoning Code by further clarifying that amendments not affecting the substance of the ordinance need not be re-heard, which will save time and cost for duplicative procedural reviews that was an unintentional potential outcome in the original phrasing.

Staff has sent notification of this hearing to 212 City-wide community organizations and councilmembers.

**Recommendation:** Approval

**13. CITY COUNCIL BILL #09-0429/REQUIRED PARKING FOR BICYCLES**

*(Postponed to a later date)*

#### **14. CITY COUNCIL BILL #10-0493/REZONING – CERTAIN PROPERTIES IN THE WESTPORT AREA**

##### **CITY COUNCIL BILL #10-0494/URBAN RENEWAL – ANNAPOLIS ROAD – RENEWAL AREA DESIGNATION AND RENEWAL PLAN**

The URP bill will provide for rezoning from residential to mixed use in order to allow the creation of a “main street” in Westport. The companion bill will call for the rezoning recommended by the URP legislation. The URP bill does not include any provisions for acquisition or disposition of properties.

Currently, the 2000-2400 blocks of Annapolis Road are zoned primarily residential (R-7). B-2 zoning exists on the west side of Annapolis Road in the 2100 and 2200 blocks. The entire west side of Annapolis Road from Clare Street to Indiana Avenue would become B-2-2 under this proposal. B-2-2 zoning would also be put in place on the east side from Clare Street to Wenbern Avenue. The zoning would be changed from R-7 to B-1-2 between Wenbern Avenue and Kent Street on the east side in the 2200 block. The properties on the east side in the 2300 and 2400 blocks of Annapolis Road, where the most intact rowhouses are present, would remain R-7. Some industrially zoned properties nearby will also be recommended for residential zoning.

The URP legislation will also prohibit certain objectionable uses currently permitted in the B-2 zones and provide design standards to ensure that new development and redevelopment is done in a professional manner that enhances the appearance of this important corridor.

Staff has notified the Westport Business Association, the Westport Community Council, the Westport Improvement Association, the Westport Neighborhood Association, the Mt. Winans Community Association, the Mt. Winans Neighborhood Improvement Association, the Cherry Hill Community Coalition, and affected property owners of this action.

##### **Recommendations:**

- City Council Bill #10-0493 (Rezoning): Approval
- City Council Bill #10-0494 (URP): Amend and approval

#### **15. OLDTOWN REDEVELOPMENT PLAN (MASTER PLAN)**

##### **STREET CLOSINGS/PORCTIONS OF FORREST AND MCELDERRY STREETS**

##### Oldtown Redevelopment Plan (Master-Plan)

The Department of Planning is petitioning for the approval and adoption of the Oldtown Redevelopment Plan (Master Plan) and Street Closings for the Oldtown Mall. The boundaries of the master plan study area include the JFX to the west, Broadway to the east, and Monument and Fayette Street to the north and south respectively.

The Oldtown Redevelopment Plan (Master-Plan not only gives recommendations and creates a framework for physical redevelopment, but also makes recommendations to support the human development needs of the area. The plan makes several key physical redevelopment recommendations for the redevelopment of Oldtown Mall, Somerset Homes redevelopment, and two Fayette Street development options, one for Baltimore Housing and the other for Sojourner-Douglass College. The other major recommendations in the plan, though very long term are for the partial teardown of the JFX and for the redevelopment of the Edison properties near the Fallsway. The plan also includes sustainability and human development recommendations.

#### Street Closing/Oldtown Mall

The Baltimore Development Corporation is requesting that portions of both Forrest and McElderry Streets be closed. The street closings are within the Oldtown Mall redevelopment site. The portion of Forrest Street to be closed is 70 foot wide and extends northward from Orleans Street approximately 340 feet. The portion of McElderry Street to be closed is a 60 foot wide and extends approximately 160 feet from the southeast corner of Forrest and McElderry going northeast. The subject portions of the streets to be closed will be incorporated into the Oldtown Mall redevelopment project. It is staff's opinion that these two alleys are not needed to provide access to adjacent properties and that they can be closed, declared surplus right-of-way, and be disposed.

Staff has notified by mail Continental Realty Corporation, A & R Development, Oldtown Merchants Association, Fountain Baptist Church, HABC Resident Advisory Board, HABC Resident Advisory Board, Sojourner-Douglass College, East Baltimore Community Corporation; Waters A.M.E. Church, First Charity Baptist Church, and Centennial Caroline St., AB Associates, Baltimore Development Corporation, City Council President Bernard C. "Jack" Young, and the 12<sup>th</sup> District City Councilman Carl Stokes. Steering Committee was also notified by email which contains many of the participants above as well as other City Agencies.

#### **Recommendation:** Approval and adoption

- Oldtown Redevelopment Plan (Master Plan): Approval and adoption
- Street Closings/ Portions of McElderry and Forrest Streets: Approval